

9 FAM Appendix K, 200 MANAGEMENT

(TL:VISA-411; 05-16-2002)

9 FAM 201 Senior Management Control

(TL:VISA-405; 05-10-2002)

It is essential that chiefs of mission and principal officers assume responsibility for the implementation and supervision of visa referral systems at posts. In cases involving alleged false immigration schemes, Federal courts have accepted the written attestations on signed visa referral forms as evidence of the referrer's complicity in the scheme. In many countries nonimmigrant visas are a highly valued commodity. Access to the visa section is often an important tool of the trade for many sections of a mission abroad. If laxity and non-compliance with established guidelines occur, however, abuse, fraud, and malfeasance will invariably find their way into even the most well conceived system. Therefore, senior management responsibility for the integrity of the referral system is vital.

9 FAM 202 Clear Written Policy

(TL:VISA-411; 05-16-2002)

It is senior management's responsibility, in conjunction with the consular section, to develop a formal written visa referral policy and system. The policy should be tailored to the individual and special circumstances of each mission, but all systems *must* provide for an accountable system for visa referrals. This must include:

- (1) A clear written policy statement from senior management to all mission elements designated eligible to participate in the referral system which includes a description of the sanctions that will be applied in case of abuse [see 9 FAM Appendix K, 305]. The post must ensure that the referral system is known to all officers. The written policy statement must be furnished to all new personnel, and it must be clearly covered in the consular portion of any orientation program for new personnel;
- (2) Standard forms used for referrals;
- (3) Senior consular responsibility for processing visa referral cases;
and,
- (4) An internal control and monitoring system.